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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HERNI THOMPSON, et al.,

Plaintiffs,

v.

AMERICAN FAMILY MUTUAL
INSURANCE COMPANY, et al.,

Defendants.

2:09-CV-905 JCM (RJJ)


ORDER

Presently before the court is counterclaimant American Family Mutual Insurance Company's letter for status request. Local Rule 7-6(b) allows a party to contact the presiding judge when a motion is pending for over 60 days.

The underlying motion for reconsideration of the magistrate judge's order denying sanctions was filed on September 16, 2011. After the response period lapsed, the undersigned reviewed the motion and determined that it was more properly addressed to the magistrate judge in the first instance. For example, the argument section of the motion is titled, "Reconsideration by the *Magistrate Judge* or the District Court is Proper." Mot. at 6:1 (emphasis added). Further, the motion is premised on the argument that "it *appears* but for Judge Johnston's *belief* that the motion for summary judgment was dispositive of all of American Family's claims, sanctions would have issued." *Id.* at 3:24-25 (emphasis added). Such issues, appear to this court, better directed at the magistrate judge in the first instance.

1 Accordingly, on November 16, 2011, the motion was referred to Magistrate Judge Johnston
2 and remains pending before him.

3 DATED June 12, 2012.

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5 
6 UNITED STATES DISTRICT JUDGE